



General Assembly

Substitute Bill No. 17

February Session, 2010

* ____SB00017PH____041410____ *

**AN ACT CONCERNING HEALTH CARE PROVIDER RENTAL
NETWORK CONTRACT ARRANGEMENTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 42-491 of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 (a) Any contracting entity that enters into or renews a contract with
5 a health care provider on or after January 1, 2009, and that sells, leases,
6 rents, assigns or grants access to such provider's health care services,
7 discounted rates or fees shall include in such contract a provision
8 specifically stating that such contracting entity may sell, lease, rent,
9 assign or grant access to such provider's health care services,
10 discounted rates or the fees established in such contract.

11 (b) (1) Each such contracting entity that sells, leases, rents, assigns or
12 grants access to any covered entity, a physician panel or a health care
13 provider's health care services, discounted rates or fees shall:

14 [(1)] (A) Maintain an Internet web site or a toll-free telephone
15 number through which a health care provider may obtain a listing of
16 the covered entities to which such provider's services, discounted rates
17 or fees have been sold, leased, rented, assigned or granted access. Such
18 contracting entity shall update such listing on a routine basis not less

19 than every ninety days; and

20 [(2)] (B) Upon request at the time of entering into such contract,
21 provide a list to the health care provider of all known covered entities
22 to which such contracting entity may sell, lease, rent, assign or grant
23 access to such provider's health care services, discounted rates or fees.
24 Such contracting entity shall update such list on a routine basis not less
25 than every ninety days.

26 (2) Each covered entity that subsequently sells, leases, rents, assigns
27 or grants access to such provider's health care services, discounted
28 rates or fees shall:

29 (A) Maintain an Internet web site or a toll-free telephone number
30 through which a health care provider may obtain a listing of the
31 entities to which such provider's services, discounted rates or fees have
32 been subsequently sold, leased, rented, assigned or granted access; and

33 (B) At the time of such subsequent selling, leasing, renting,
34 assigning or granting of access, inform the contracting entity and the
35 health care providers such contracting entity has directly contracted
36 with of the Internet web site address or toll-free telephone number
37 established under subparagraph (A) of this subdivision.

38 (c) Each covered entity shall pay the health care provider's
39 discounted rates or fees in accordance with the terms and conditions
40 set forth in the contract between the contracting entity and such
41 provider.

42 (d) Subject to any applicable continuity of care requirements,
43 agreements or contractual provisions with a health care provider, a
44 covered entity's right to exercise a contracting entity's rights and
45 responsibilities under a contract shall terminate on the date such
46 contracting entity's contract with such provider is terminated.

47 (e) On and after January 1, 2009, all remittance advices, whether
48 written or electronic, shall clearly identify the following:

49 (1) The name of the covered entity responsible for payment to the
50 health care provider; and

51 (2) The name of the contracting entity through which the payment
52 rate and any discounts are claimed.

53 (f) On and after January 1, 2009, any contracting entity or covered
54 entity that issues a member identification card shall clearly mark on
55 such card the address of the Internet web site or toll-free telephone
56 number set forth in subdivision (1) of subsection (b) of this section.

57 Sec. 2. (NEW) (*Effective October 1, 2010*) (a) Any violation of section
58 42-491 of the general statutes, as amended by this act, shall be deemed
59 an unfair or deceptive insurance practice under section 38a-816 of the
60 general statutes.

61 (b) The Insurance Commissioner may adopt regulations, in
62 accordance with chapter 54 of the general statutes, to carry out the
63 provisions of sections 42-490 to 42-493, inclusive, of the general
64 statutes, as amended by this act.

65 (c) Nothing in this section shall prohibit or limit any claim or action
66 by a health care provider against a contracting entity or covered entity.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	42-491
Sec. 2	<i>October 1, 2010</i>	New section

INS *Joint Favorable Subst.*

PH *Joint Favorable*